



ATTACHMENT A
Remarks

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Claims 23-42 stand pending in the present application. By this Amendment, claims 23, 34 and 41 have been amended. It is respectfully submitted that the present application is in condition for allowance.

Claims 23-25, 32, 34-36 and 40-41 were rejected under 35 U.S.C. § 102(e) as being anticipated by Schultheiss. One contention of the Examiner is that Schultheiss teaches the claimed mouse device having a multimedia control device (62) disposed within housing (52) to control only the multimedia device through the computer (12), wherein the at least one control device provides immediate accessibility to the multimedia device through the computer where the immediate accessibility to the multimedia device through the computer is accessing the menu which controls the functions of the multimedia device.

Turning first to the amended claims, the present invention as claimed in amended claim 23 is directed to a mouse device for a computer having a multimedia device. A multimedia control device controls only the multimedia device of the computer. The multimedia control device provides immediate accessibility to the multimedia device of the computer to thereby directly control functions of the multimedia device.

Schultheiss fails to teach or suggest a control device which provides immediate accessibility to a multimedia device of a computer. In this regard, Schultheiss discloses a multimedia device 40 (the media device identified by the Examiner) which is not part of the computer but is instead a separate and distinct device. Thus, Schultheiss fails to

teach or suggest a computer having a multimedia device let alone a control device which controls only the multimedia device of the computer as claimed.

Further, Schultheiss fails to teach or suggest the provision of at least one control device which provides immediate accessibility to the multimedia device of the computer to thereby directly control functions of the multimedia device. Although the Examiner contends that Schultheiss provides immediate accessibility to the multimedia device through the computer by accessing the menus which control the functions of the multimedia device, claim 23, as amended, recites that the control device provides immediate accessibility to the multimedia device of the computer to thereby directly control the multimedia device. Thus, claim 23 particularly as amended, distinguishes from the use of indirect control wherein a control menu is first accessed prior to controlling the function of the multimedia device. Multiple steps are required in accessing a control menu and thus this approach is indirect and non-immediate rather than direct and immediate as claimed. Accordingly, it is respectfully submitted that claim 23 clearly defines over this teaching of Schultheiss.

Turning to claims 34 and 41, it is respectfully submitted that these claims, as amended, are also not anticipated by Schultheiss. Claim 34 has been amended to emphasize that the controlled function is both immediately accessible and directly controllable via the pointing device by actuation of the control. It is respectfully submitted that Schultheiss fails to teach or suggest a system comprising a computer having a multimedia device, and a pointer device including a control which controls the function of the multimedia device such that the function is immediately accessible and directly controllable via the pointer device by actuation of the control. As discussed

above with regard to the rejection of claim 23, Schultheiss fails to teach or suggest an arrangement wherein the device function is immediately accessible and directly controlled via pointing device, as claimed.

Claim 41 is not anticipated by Schultheiss for reasons similar to those set forth above in support of the patentability of claim 23. Schultheiss fails to teach or suggest the claimed control device which provides immediate accessibility to the multimedia device of a computer because Schultheiss fails to teach or suggest a computer incorporating a multimedia device much less a control device which provides immediate accessibility to the multimedia device of the computer, as claimed.

For the reasons set forth above, it is respectfully submitted that claims 23, 34 and 41 are not anticipated by Schultheiss. Of course, claims 24, 32, 35, 36 and 40, which depend from independent claims 23 or 34, are not anticipated by Schultheiss for at least the reasons discussed above with regard to the patentability of claims 23 and 34.

Claims 26, 33, 37 and 42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schultheiss. It is respectfully submitted that claims 26, 33, 37 and 42 are not obvious in view of Schultheiss.

The Examiner contends that Schultheiss teaches all elements of the claimed invention apart from transferring packetized signals between the cursor pointing device and the multimedia device and that such a packetized transmission would have been obvious to one of ordinary skill in the art. It is respectfully submitted that the subject matter of claims 26, 33, 37 and 42 would not have been obvious to one of ordinary skill in the art based on the actual disclosure of Schultheiss. Schultheiss is directed to a remote device which transmits information either via IR or UV between the remote

device and either a PC or a television set. In either case, the transmission, i.e., either IR or UV, is by means electromagnetic waves and is not packetized. Moreover, since the Schultheiss multimedia device is a television set controlled either via IR or UV from a PC or remote control, there is no teaching or suggestion in Schultheiss that would motivate one of ordinary skill in the art to modify the television set to accept packetized data and then modify the remote control or PC to send packetized data to the television set. It is noted that the Examiner has made reference to the Hall and Banerjee et al patents as supporting the rejection but it is not seen that the fact that the packetized transmission of data is obviously well known, renders obvious the proposed modification of the Schultheiss system, i.e., given the actual teachings of the references, it would not have been obvious to one of ordinary skill in the art to modify the Schultheiss system to use packetized transmission to transmit data between the remote device and the multimedia television device. Moreover, Schultheiss fails to teach or suggest the "immediate accessibility to the multimedia device" claimed in claim 26. For these reasons, it is respectfully submitted that claims 26, 33, 37 and 42 are patentable over Schultheiss.

Claims 27-31, 38 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schultheiss further in view of Schindler et al (hereinafter "Schindler"). It is respectfully submitted that claims 27-31, 38 and 39 are not obvious in view of the teachings of Schultheiss and Schindler because, for the reasons set forth above, Schultheiss fails to teach or suggest the subject matter of claims 23 and 34 from which claims 27-31, 38 and 39 depend and, Schindler fails to make up the deficiencies of Schultheiss as a reference against the present claims. Therefore, it is respectfully

submitted that claims 27-31, 38 and 39 are patentable over Schultheiss in view of Schindler.

In view of the foregoing, it is respectfully submitted that the present application is now in condition for allowance.